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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/825,734	04/04/2001	Leonard H. Lopez JR.	1036.1256	3638

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GUNN LEE & HANOR P.C.
700 N. St. Mary Street
Ste. 1500
San Antonio, TX 78205-3596

EXAMINER

NGUYEN, CUONG H

ART UNIT	PAPER NUMBER
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3625

DATE MAILED: 12/30/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/825,734

Applicant(s)

LOPEZ, LEONARD H.

Examiner

CUONG H. NGUYEN

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) ✓
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2,7.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Priority

1. This application is a CIP of prior Application No. 09/487,392, filed 1/18/2000.

Information Disclosure Statement

2. The information disclosure statements filed 4/04/2001 and 9/26/2003 fail to comply with 37 CFR 1.98(a)(3) because it does not include a concise explanation of the relevance, as it is presently understood by the individual designated in 37 CFR 1.56(c) most knowledgeable about the content of the information, of each patent listed that is not in the English language. It has been placed in the application file, but the information referred to therein has not been considered.

Drawings

3. The drawings were received on 4/04/2001. These drawings are acceptable as formal drawings.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and

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distinctly claim the subject matter which applicant regards as the invention. The term "sufficiently" in claim 1 is a relative term, which renders the claim indefinite. The term "sufficiently" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

5. Claim 1 recites the limitation "the typography" in lines 10-11 (of the claim). There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraph of 35 U.S.C. § 102 in view of the AIPA and H.R. 2215 that forms the basis for the rejections under this section made in the attached Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

35 U.S.C. § 102(e), as revised by the AIPA and H.R. 2215, applies to all qualifying references, except when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. For such patents, the prior art date is determined under 35 U.S.C. §

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102(e) as it existed prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. § 102(e)).

6. Claims 1-5, 7-8 are rejected under 35 U.S.C. § 102(e) as being anticipate by Sevcik et al. (US Pat. 6,330,524).

A. As to claim 1: Sevcik teaches a method for fulfillment of institutional business card and stationery product orders, said method comprising the steps of:

- providing a requestor interface for entry of a distributed user's print order, said requestor interface being adapted to enable the user to select a company tailored product according to a predeterminable profile (see **Sevcik**, 11:35-37);

It is submit that a profile is predeterminable where the profile is able to be predetermined from data that is prearranged, programmed, encoded, fixed, determined, set, present. An interface is software that enables a program to work with a user (user interface, which can be a command-line interface, menu-drive interface, or a graphical user interface), with another program such as the operating system, or with a computer's hardware. Sevcik does not specifically refer to his interfaces as a "requestor interface" or "processor interface" and Sevcik does not group functions according to applicant's uses. Sevcik's profiles are "prearranged, programmed, encoded, fixed, determined, set, present." The data in Sevcik's profiles is collected via various user interfaces. Sevcik creates pre-press products via other interfaces that use information from the profiles. Sevcik passes Pre-press product data to print provider production systems for the purpose of creating, selling and fulfilling orders for printed products. The

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print provider systems may also produce quotes for those orders prior to fulfilling the orders.

- processing the user's print order through a processor interface, said processor interface being adapted to directly generate a pre-press product automatically incorporating said predeterminable profile into said tailored product - Sevcik teaches, , that once data is entered into a database through an interface, data is instantly available to a person placing an order and data may be accessed from a personalized home page (see **Sevcik**, Col. 14, lines 50 - Col. 15, line 10).

Sevcik teaches generating a plurality of prototypical product records (see at least references to custom product categories and standard variable options and standard variable products created thereby, in particular see **Sevcik**, Fig.4, 6:25 to 9:12, and 3:41-65);

- developing a list of fields according to said prototypical product record, each said field comprising an element of said company tailored product's specification (see **Sevcik**, 1:60-67, 14:16-22, and Fig.1A);

Sevcik teaches about a system/process for automatically incorporating a predeterminable profile into a tailored product and directly generating a pre-press product therefrom (see **Sevcik**, 15:19-22), "a Print Provider may require additional information about a job in order to begin." ; the Examiner submits that Sevcik merges

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specific profile data, data entered via entry fields on various interfaces according to templates and prototypes to produce pre-press files.

Sevcik teaches about a predefined database management system, said database management system being adapted to collect and store data according to said field list; "The history of that job will always be accessible to the Print Buyer with access to that account" (see **Sevcik**, 15:52-67).

Sevcik teaches about expanding a database (see **Sevcik**, 14:50 to 15:10, 6:6,27, 5:57, 10:60 to 11:50, and Fig.13).

B. As to claim 2: Sevcik teaches a method for fulfillment of institutional business card and stationery product orders, wherein said providing a requestor interface step comprises the step of using an intermediary application to automatically expand said database management system according to a selection of fields. Sevcik teaches about editing a database: interface lists, line by line, each status change and the date that that change was stored in the database. Once a job is completed, it moves out of the current job queue into an archive. The history of that job will always be accessible to the Print Buyer with access to that account (see **Sevcik**, 14:50 to 15:10, and 15:52-67).

C. As to claim 3: Sevcik teaches a method for fulfillment of institutional business card and stationery product orders, comprising:

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providing an electronic preview of said company tailored product; Sevcik teaches that any change in job status entered into the system will, upon approval, be viewable by the Print Buyer. For example, a Print Provider may require additional information about a job in order to begin (see **Sevcik**, 14:50 to 15:22 , and 17:17-22, 35-43).

D. As to claim 4: Sevcik teaches a method for fulfillment of institutional business card and stationery product orders, wherein said providing an electronic preview step is optionally invoked. The examiner submits that claiming "optionally invoked" means this invoking step "may" or "may not" happen. Therefore, Sevcik meets this claim's limitation when Sevcik neglects this step (see **Sevcik**, 15:10-22 and 17:35-43).

E. As to claim 5: Sevcik teaches a method for fulfillment of institutional business card and stationery product orders, comprising: generating electronically accessible order status information. For every job, there is a series of steps, which occur from when the quote is generated, to when the job is closed. Each of these steps is tracked within the system and viewable from the Job history interface for that particular job. This is a read-only interface (with the exception of certain administrators with the proper access privilege), which enables the Print Provider to look up important information such as dates the file was sent/received, delivery dates, press check status, etc. The interface lists, line by line, each status change and the date that that change was stored in the

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database. Once a job is completed, it moves out of the current job queue into an archive. The history of that job will always be accessible to the Print Buyer with access to that account (see **Sevcik**, Fig.16, 14:30-37, and col. 15, lines 52-67)..

F. As to claim 7: **Sevcik** teaches a method for fulfillment of institutional business card and stationery product orders, wherein said requestor interface comprises predeterminable limits for a user's selection of said company tailored product (see **Sevcik**, 1:1 to 2:16, 5:10 to 14:5, and 14:50 to 15:10.

G. As to claim 8: **Sevcik** teaches a method for fulfillment of institutional business card and stationery product orders, wherein said limits are measured in physical quantities of said company tailored product (see **Sevcik**, 3:55-65, Fig.10 ref.104, and Fig.9 ref.96).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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7. As to claim 6: It is rejected under 35 U.S.C. 103(a) as being unpatentable over Sevcik et al. (US Pat. 6,330,524), and in view of Perkowski et al. (US Pat. 5,964,156).

Sevcik teaches a method for fulfillment of institutional business card and stationery product orders, generating electronically accessible order status information.

Sevcik does not disclose about reading a bar code label associated with said company tailored product.

However, Perkowski teaches that missing feature (see Perkowski, claim 12).

It would be obvious to one of ordinary skill in the art to combine Sevcik and Perkowski reading a bar code label associated with said company tailored product because using bar-code labels speeding up inputting data and creating more accuracy comparing to manually entering data of these labels.

8. As to claim 9: It is rejected under 35 U.S.C. 103(a) as being unpatentable over Sevcik et al. (US Pat. 6,330,524).

Sevcik teaches a method for fulfillment of institutional business card and stationery product orders, wherein said limits are measured in monetary value of said company tailored product.

It would be obvious to one of ordinary skill in the art that product values are practically equated to monetary values, especially while doing inventories. Therefore, similar

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rationale and references set forth in rejection of claim 8 are applied.

9. As to claim 10: It is rejected under 35 U.S.C. 103(a) as being unpatentable over Sevcik et al. (US Pat. 6,330,524), in view of the Official Notice.

Sevcik teaches a method for fulfillment of institutional business card and stationery product orders, and about a change to a predeterminable profile (see **Sevcik**, 1:60-67, and 14:5-50).

Sevcik does not disclose a user interface comprises an alert indicative of a change to said predeterminable profile.

However, the Official Notice is taken that adding an alarm feature on a computer when a specific change happen is old and well-known.

It would be obvious to one of ordinary skill in the art to implement Sercik's patent with adding an alert indicative of a change to a predetermine profile because this feature is necessary to get a special attention from a user.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- Kouchi et al. (US Pat. 5,406,475 - 4/11/1995), Data processing network having a plurality of independent subscribers. Foreign Application Priority Data: 4-111223, G06F 15/24, 4/30/1992.

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- **Perkowski; Thomas J.** (US Pat. 5,918,214 - 705/26 - 6/29/1999), System and method for finding product and service related information on the internet.
- **Sevcik et al.** (US Pat. 6,330,542 - 12/11/2001), Automated internet quoting and procurement system and process for commercial printing.
- **Smith et al.**, (US Pat. 5,964,156 - 10/12/1999), Optimizing workflow in a prepress printing system.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CUONG H. NGUYEN whose telephone number is 703-305-4553. The examiner can normally be reached on 7 am - 330 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent A. Millin can be reached on 703-308-1065. The fax phone number for the organization where this application or proceeding is assigned is 703-305-7687.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

Cuong H. Nguyen

CUONG H. NGUYEN
Primary Examiner
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